

HENRY MIROLYUZ - 01/11/2019

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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION, a X
Deleware corporation

Plaintiff(s)

-vs-

X

CASE NO. 16-cv-1054
(WMW/DTS)

FEDERAL INSURANCE COMPANY, an
Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY, a
Pennsylvania corporation

X

Defendant(s)

DEPOSITION OF HENRY MIROLYUZ

DATE: JANUARY 11, 2019

HELD AT:

HUSEBY - CONNECTICUT
249 Pearl Street
Hartford, Connecticut

Dawn C. Mahoney, LSR #142



<p style="text-align: right;">Page 30</p> <p>1 Q Which CHUBB employees?</p> <p>2 A I spoke in the past with --</p> <p>3 MR. FLEMING: Objection; asked and</p> <p>4 answered at the last deposition.</p> <p>5 MR. HINDERAKER: Go ahead.</p> <p>6 THE WITNESS: I spoke with Miranda</p> <p>7 Chang, I spoke with Ramesh Pandey, and I spoke --</p> <p>8 as part of the people that I can remember -- and</p> <p>9 I spoke with Zorica Todorovic.</p> <p>10 Q Did you speak with anybody -- that was in</p> <p>11 the past. Did you speak with anybody to prepare</p> <p>12 yourself for your testimony on Topic 15 today?</p> <p>13 A I spoke with Zorica Todorovic to prepare on</p> <p>14 topic today.</p> <p>15 Q So spoke with that person again?</p> <p>16 A Yes.</p> <p>17 Q Anyone else?</p> <p>18 A No.</p> <p>19 Q Based upon that, can you identify any person</p> <p>20 from FICO that assisted in the installation of Blaze</p> <p>21 Advisor in the UK?</p> <p>22 MR. FLEMING: Objection; asked and</p> <p>23 answered in the last deposition.</p> <p>24 MR. HINDERAKER: Go ahead.</p> <p>25 THE WITNESS: I cannot identify those.</p>	<p style="text-align: right;">Page 32</p> <p>1 A I believe I did.</p> <p>2 Q You believe you did?</p> <p>3 A Yes.</p> <p>4 Q Do you recall when?</p> <p>5 A I don't recall the exact date.</p> <p>6 Q Same questions with respect to installations</p> <p>7 in Canada.</p> <p>8 A Again, I did -- yes, I did. And I do not</p> <p>9 recall the exact date.</p> <p>10 Q So again, there's no individual person at</p> <p>11 FICO that you know of that assisted in the</p> <p>12 installation?</p> <p>13 A No.</p> <p>14 Q To your knowledge, who do you -- did anybody</p> <p>15 tell you -- as opposed to your assumptions, did</p> <p>16 anybody tell you that Canadian CHUBB representatives</p> <p>17 placed tickets at the help desk?</p> <p>18 A My conversations in the past with Tony Zahn,</p> <p>19 who was the architect for the Canadian zone, that they</p> <p>20 opened the ticket.</p> <p>21 Q Okay. The same question with respect to</p> <p>22 Australia.</p> <p>23 A I did not work with Australia or was not</p> <p>24 engaged by anybody in Australia regarding the use of</p> <p>25 Blaze.</p>
<p style="text-align: right;">Page 31</p> <p>1 They dealt with the help desk support and they</p> <p>2 would raise the tickets. So they did not -- that</p> <p>3 worked generically as FICO. Mike Sawyer would be</p> <p>4 the contact person for me in case any additional</p> <p>5 assistance would be needed.</p> <p>6 Q Do you recall yourself contacting or</p> <p>7 engaging Mike Sawyer and yourself?</p> <p>8 A I did.</p> <p>9 Q And when was that?</p> <p>10 A That's during the -- between 2010 and 2014</p> <p>11 if my memory serves me correctly.</p> <p>12 Q Okay. Tell me about your contacts with Mike</p> <p>13 Sawyer.</p> <p>14 A I got informed by developers that there was</p> <p>15 an issue and they need to be resolved quickly. So I</p> <p>16 would just make him aware. Because as a client</p> <p>17 representative of FICO, he has an influence to</p> <p>18 expedite the request to go to the help desk.</p> <p>19 Q Is it fair to say that you advised Mike</p> <p>20 Sawyer making him aware that people in the UK were</p> <p>21 reaching out to the help desk for help?</p> <p>22 A Correct. In the UK or U.S. That was normal</p> <p>23 part of my working relationship with him.</p> <p>24 Q Do you recall specifically reaching out to</p> <p>25 Mike Sawyer specific to install issues in the UK?</p>	<p style="text-align: right;">Page 33</p> <p>1 Q Okay. So you don't know the answer to that</p> <p>2 one way or the other?</p> <p>3 A I don't, yeah.</p> <p>4 Q Your understanding after speaking with these</p> <p>5 people, let me see if it I have clear, is that CHUBB</p> <p>6 representatives in the UK, CHUBB representatives in</p> <p>7 Canada use the internal CHUBB website to download</p> <p>8 Blaze Advisor on their respective servers?</p> <p>9 A Not correct. Not to the respective desktop</p> <p>10 or laptops or virtual machines.</p> <p>11 Q All right. To download Blaze Advisor</p> <p>12 software on their respective laptops or their</p> <p>13 respective servers, whichever --</p> <p>14 A We do not download software from the website</p> <p>15 to the server. It would always be downloaded to the</p> <p>16 personal workstation.</p> <p>17 Q And then how does it get to the servers?</p> <p>18 Let's say that CHUBB has servers in Toronto. How does</p> <p>19 it get to those servers?</p> <p>20 A Blaze itself is never installed on the</p> <p>21 server. It gets deployed as part of the application.</p> <p>22 Q Let's just take an application that's</p> <p>23 running to support the insurance sales in Europe.</p> <p>24 Let's call the application Evolution.</p> <p>25 A Correct.</p>

<p style="text-align: right;">Page 34</p> <p>1 Q Blaze Advisor is downloaded on what in the</p> <p>2 UK?</p> <p>3 A It will get downloaded to the developer's</p> <p>4 workstation.</p> <p>5 Q Okay. And then the developer -- and his</p> <p>6 workstation will develop the Evolution application?</p> <p>7 A Correct.</p> <p>8 Q And then when somebody in Europe, anybody in</p> <p>9 Europe, is using the Evolution application, whether</p> <p>10 CHUBB or broker or agent, that application is -- where</p> <p>11 is the Blaze Advisor software on which that</p> <p>12 application is running hosted?</p> <p>13 A Blaze Advisor software gets packaged as a</p> <p>14 part of the application and deployed to the server,</p> <p>15 whatever the team -- specific IT team decided to</p> <p>16 deploy. Location of the server being known only to</p> <p>17 the team itself.</p> <p>18 Q Could you say that again?</p> <p>19 MR. FLEMING: Could you read the</p> <p>20 answer.</p> <p>21 (The requested testimony was read back</p> <p>22 by the court reporter.)</p> <p>23 Q Is it accurate to say that the Blaze Advisor</p> <p>24 software is -- I'm sorry. Is it accurate to say that</p> <p>25 the application includes the Blaze Advisor software?</p>	<p style="text-align: right;">Page 36</p> <p>1 are hosted?</p> <p>2 A It was -- for the Canada it was hosted on</p> <p>3 the U.S. servers.</p> <p>4 Q All right. But before you told us that in</p> <p>5 Canada applications were being migrated to North</p> <p>6 Carolina?</p> <p>7 A Yes, it was my mistake. That was my</p> <p>8 original deposition. Based on my recent conversation</p> <p>9 with Zorica, I got ahold of the more correct</p> <p>10 information.</p> <p>11 Q So is your testimony today that there has</p> <p>12 never been a migration to the United States from</p> <p>13 Canada?</p> <p>14 A To my knowledge -- I'm not sure. I cannot</p> <p>15 speak if it was migration or not. I know that the</p> <p>16 application, per her statement -- per my conversation</p> <p>17 with Zorica, application is hosted and was hosted on</p> <p>18 the U.S. server in the time Blaze was developed.</p> <p>19 Q And then computers in Canada are running the</p> <p>20 application?</p> <p>21 A It's computers -- again, computers running</p> <p>22 Blaze software are also hosted the United States.</p> <p>23 Q To your knowledge, the testimony that you're</p> <p>24 giving today is that the Blaze Advisor software</p> <p>25 applications have not been migrated from Canada to the</p>
<p style="text-align: right;">Page 35</p> <p>1 A Correct.</p> <p>2 Q Okay. So the application that is being run</p> <p>3 to support the sale of insurance in Europe is on</p> <p>4 computers in Europe?</p> <p>5 A No, it is not. It is in the computers used</p> <p>6 by people in Europe, but computers could be located in</p> <p>7 the United States or any other geographical region.</p> <p>8 Q Do you know one way or the other whether the</p> <p>9 applications running in Europe were -- the Blaze</p> <p>10 Advisor applications running in Europe were hosted on</p> <p>11 computers in Europe?</p> <p>12 A I don't know one way or another.</p> <p>13 Q Not one way or the other?</p> <p>14 A Never interested me.</p> <p>15 (Court reporter asked for</p> <p>16 clarification.</p> <p>17 A It never interested me. It was not part of</p> <p>18 the my duties.</p> <p>19 Q So then with respect to applications that</p> <p>20 support the sale of insurance in Canada, the Blaze</p> <p>21 Advisor -- the applications include the Blaze Advisor</p> <p>22 software?</p> <p>23 A Correct.</p> <p>24 Q Do you know one way or the other where the</p> <p>25 applications that include the Blaze Advisor software</p>	<p style="text-align: right;">Page 37</p> <p>1 United States?</p> <p>2 A Blaze Advisor -- to my knowledge, Blaze</p> <p>3 Advisor was not -- application running Blaze Advisor</p> <p>4 was not. It could have been migrated before, but the</p> <p>5 Blaze Advisor software and the application using the</p> <p>6 Blaze Advisor was hosted in the United States.</p> <p>7 Q Always?</p> <p>8 A To my knowledge, yes.</p> <p>9 MR. FLEMING: We've been going about an</p> <p>10 hour. When you get to the end of a topic, can we</p> <p>11 take a break?</p> <p>12 MR. HINDERAKER: Sure. Now is fine.</p> <p>13 THE VIDEOGRAPHER: We're going off</p> <p>14 record. The time would be approximately at 9:56.</p> <p>15 (Recess taken from 9:56 to 10:09)</p> <p>16 THE VIDEOGRAPHER: We are back on</p> <p>17 record. The time is approximately 10:09. You</p> <p>18 may continue.</p> <p>19 Q (By Mr. Hinderaker) Welcome back.</p> <p>20 A Thank you.</p> <p>21 Q What caused you to change your testimony</p> <p>22 regarding the fact of Blaze Advisor software being</p> <p>23 hosted on servers in Canada?</p> <p>24 MR. FLEMING: I'll object. It's</p> <p>25 argumentative.</p>

<p style="text-align: right;">Page 38</p> <p>1 THE WITNESS: Conversation with Zorica</p> <p>2 Todorovic. She clarified. I did not have an</p> <p>3 opportunity to talk to her when I had original</p> <p>4 testimony. She clarified that.</p> <p>5 Q When did you have that conversation?</p> <p>6 A Yesterday.</p> <p>7 Q What caused you to change your testimony</p> <p>8 regarding Blaze Advisor software being hosted on</p> <p>9 servers in Europe?</p> <p>10 MR. FLEMING: Objection; argumentative.</p> <p>11 THE WITNESS: I'm not sure I understand</p> <p>12 the question because --</p> <p>13 Q I understood in our time together before we</p> <p>14 looked at e-mails and saw that Blaze Advisor software</p> <p>15 was hosted on servers in the UK, correct?</p> <p>16 A Correct.</p> <p>17 Q Today, are you saying that Blaze Advisor</p> <p>18 software was not hosted on servers in the UK?</p> <p>19 A I did not say one way or another.</p> <p>20 Q Okay.</p> <p>21 A Conversation with Zorica led me to believe</p> <p>22 that some of the assumptions I made during the</p> <p>23 original might not be correct.</p> <p>24 Q With respect to Canada?</p> <p>25 A Canada and the UK as well.</p>	<p style="text-align: right;">Page 40</p> <p>1 A Installation and use -- software can be</p> <p>2 installed on location but used by the people in a</p> <p>3 different geographical location. So hypothetically</p> <p>4 speaking, software could be installed in the U.S. but</p> <p>5 used by the people in Canada in this particular</p> <p>6 example.</p> <p>7 Q Okay. We already spoke about the lack of</p> <p>8 your own firsthand knowledge. When you spoke with</p> <p>9 representatives from Canada yesterday or earlier, did</p> <p>10 they identify for you from their knowledge any</p> <p>11 instance in which they placed a ticket for support</p> <p>12 with FICO?</p> <p>13 A They did not. In the past, they identified</p> <p>14 in general that they placed the ticket because they</p> <p>15 had trouble installing the software.</p> <p>16 Q A general statement?</p> <p>17 A Yes.</p> <p>18 Q Nothing particular?</p> <p>19 A Nothing particular.</p> <p>20 Q Okay. Have you spoken with anybody in the</p> <p>21 UK about a UK representative placing a support ticket</p> <p>22 with FICO?</p> <p>23 A The same scenario. They would reach out to</p> <p>24 me asking for the course of action and I would advise</p> <p>25 them to raise the ticket with FICO.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q But did you speak with anybody about the UK?</p> <p>2 A No, I did not.</p> <p>3 Q So with respect to Blaze Advisor software</p> <p>4 being hosted on servers in the UK, you don't know one</p> <p>5 way or the other?</p> <p>6 A I don't know one way or another. Correct.</p> <p>7 Q Let's just speak to Canada for a moment. If</p> <p>8 the Blaze Advisor software was not hosted on servers</p> <p>9 in Canada, what's the point of a Canadian</p> <p>10 representative putting a ticket with support at FICO?</p> <p>11 A Hypothetically --</p> <p>12 MR. FLEMING: I object because you're</p> <p>13 calling for a hypothetical. He's not an expert</p> <p>14 witness.</p> <p>15 Q You testified earlier that your</p> <p>16 understanding is that representatives of CHUBB Canada</p> <p>17 put in support tickets to FICO with respect to</p> <p>18 downloading Blaze Advisor software.</p> <p>19 A Correct.</p> <p>20 Q Okay. Do you have an understanding of why</p> <p>21 they would do that?</p> <p>22 A Because they're responsible for maintenance</p> <p>23 of that particular application.</p> <p>24 Q My question was in the context of the</p> <p>25 installation of the software.</p>	<p style="text-align: right;">Page 41</p> <p>1 Q Do you remember any particular instance of</p> <p>2 that?</p> <p>3 A I do not.</p> <p>4 Q Let me show you Exhibit 149. As you see, it</p> <p>5 says a date of September 2015 and it has a title</p> <p>6 "Specialty Lines System Integration Roadmap."</p> <p>7 A Correct.</p> <p>8 Q All right. Have you seen this set of slides</p> <p>9 before?</p> <p>10 A I did not.</p> <p>11 Q Okay. When did you go to IT Claims</p> <p>12 relative -- did you go to IT Claims at CHUBB before or</p> <p>13 after September of 2015?</p> <p>14 A I believe after.</p> <p>15 Q After?</p> <p>16 A After.</p> <p>17 Q All right. Let's just set the document</p> <p>18 aside if you haven't seen it before and let me just</p> <p>19 ask you some questions in general, then.</p> <p>20 Before the merger between CHUBB and Ace, you</p> <p>21 know that CHUBB had policy administration systems?</p> <p>22 (Telephonic interruption.)</p> <p>23 THE WITNESS: My apologies.</p> <p>24 Q You know that CHUBB had policy</p> <p>25 administration systems?</p>